

FREQUENTLY ASKED QUESTIONS ON THE HAZARDOUS WASTE REPORT (hereafter biennial report)

Can we obtain an extension to the March 1 deadline for submittal of the biennial report?

Part 111, Hazardous Waste Management of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and Subtitle C of the Federal Resource Conservation and Recovery Act of 1976, as amended (RCRA referenced 40 CFR), and any administrative rules or regulations promulgated pursuant to these acts have requirements regarding the submittal of the biennial report. Specifically, R299.9308 states:

“Rule 308. (1) A generator of more than 1,000 kilograms who ships any hazardous waste off-site to a treatment, storage, or disposal facility within the United States shall prepare and submit a single copy of a biennial report to the director or the director's designee by March 1 of each even numbered year. The biennial report shall be submitted on a form and in a format specified by the director or the director's designee. The report shall cover generator activities during the previous calendar year and shall include all of the information specified in 40 C.F.R. §262.41(a)(1) to (8).

(2) Any generator of more than 1,000 kilograms who treats, stores, or disposes of hazardous waste on-site shall submit a biennial report covering those wastes in accordance with parts 5 and 6 of these rules. Reporting for exports of hazardous waste is not required on the biennial report form. A separate annual report requirement is set forth in the provisions of 40 C.F.R. §262.56.”

Subsequently an extension to the March 1 deadline for submittal of the biennial report cannot be granted.

What is the schedule for processing the biennial report?

The MDEQ schedule for processing the biennial report is the same as previous years.

- Pre-populated biennial reporting packet in the mail by the end of the first week of February.
- The second week of April, review the status of submittals and contact sites that have not submitted a biennial report. Continue to contact sites that submitted an incomplete biennial report.
- First week of May send out Letters of Warning to sites that have not submitted a biennial report or submitted an incomplete biennial report.
- Last week of May send out Second Letters of Warning to sites that have not submitted a biennial report or submitted an incomplete biennial report.
- Last week of June refer sites that have not submitted a biennial report or submitted an incomplete biennial report for possible escalated enforcement.

What forms do we have to return as part of the biennial report?

The biennial report includes the following; please return all forms.

1. Site Identification Verification Form.
2. Generator Manifest Confirmation Form.

3. For Large Quantity Generators the On-site Waste Generation and Management Form.
[Note: If the form is not applicable write N/A across the form]
4. For Treatment, Storage, and Disposal Facilities the TSD Manifest Confirmation Form.*
[*Note: If you did not enter the management code for waste received on-site on the manifests you will receive a TSD Manifest Confirmation Forms for the missing data]
5. For Treatment, Storage, and Disposal Facilities the TSD Monthly Operating Report Confirmation Form.*
[*Note: If you did not enter the management code for waste generated and managed on-site with your MOR submittals you will receive a TSD Monthly Operating Report Confirmation Forms for the missing data].

Where do I mail the biennial report?

Mail the biennial report to the following address:

For US mail

DEQ – WHMD – Biennial Reporting
Constitution Hall – Atrium North
PO Box 30241
Lansing MI 48909-7741

For overnight mail

DEQ – WHMD – Biennial Reporting
Constitution Hall – Atrium North
525 West Allegan Street
Lansing MI 48933

Can I submit the biennial report for Michigan sites using the Environmental Protection Agency forms?

The Michigan Department of Environmental Quality (MDEQ) has their own Hazardous Waste Report forms but more importantly, we collect the data for the Hazardous Waste Report based on manifested waste data while the EPA forms collects data based on the source of the waste. This change was approved during the EPA Waste Information Needs (WIN) Initiative with the States Information Needs for Making Environmental Decisions (Informed) Universe Identification, Waste Activity Monitoring, Program Area Analysis. In the Final Report, three ways were identified for States to collect the Hazardous Waste Report data (i.e., based on source or management of the waste, based on manifested waste and was managed on-site, and other reporting mechanisms required by states). The data is then compiled to meet the final data requirements for the national report and submitted to the EPA. Subsequently, we cannot use the data if you submit it using the EPA or other state forms since it will not be compiled in the format used by the MDEQ.